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MAILED

MAY 25 2006

Technology Center 2100

In re Application of: Ronald J. NIENHUIS)
Application No. 09/735,203) DECISION ON PETITION TO
Attorney Docket No. 2401-19) WITHDRAW HOLDING OF
Filed: December 12, 2000) ABANDONMENT UNDER 37 CFR
For: METHOD FOR REDIRECTING A) §1.181
NETWORK COMMUNICATION)

This is a decision on the request for reconsideration filed on August 8, 2005. The instant application was held abandoned for failure to timely respond to the non-final Office action mailed June 25, 2004. A Notice of Abandonment was mailed on March 7, 2005. A petition to withdraw the holding of abandonment based on failure to receive the office action (M.P.E.P. §711.03(c)) was filed on March 16, 2005 and subsequently dismissed in the decision mailed on July 5, 2005 for the reasons set forth therein.

Petitioner has provided supplemental evidence in the latest filing that includes a facsimile from the USPTO EBC confirming that a customer number upload spreadsheet was received for customer number 29540 by the EBC on May 26, 2004.

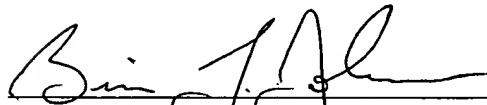
The guidelines outlined in MPEP § 711.03(c) I(A) Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action requires:

- a) a statement from the practitioner that the Office communication was not received by the practitioner;
- b) a statement from the practitioner that a search of the file jacket and docket records was made and the Office communication was not received;
- c) a copy of the docket record where the nonreceived Office communication would have been received and docketed; and
- d) a reference to the docket record in the practitioner's statement.

The supplemental evidence, in combination with that previously submitted with the petition filed March 16, 2005 is sufficient to establish non-receipt of the non-final Office action mailed June 25, 2004.

Since all of the criteria set forth above have been met, the petition is **GRANTED**. The holding of abandonment is hereby **WITHDRAWN**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the holding of abandonment, and to **Redate** and **Remail** the non-final Office action to Applicant. The shortened statutory period for response will be set to begin with the remailing of the action. Telephone inquiries should be directed to the undersigned.

A handwritten signature in black ink, appearing to read "Brian L. Johnson", written over a horizontal line.

Brian L. Johnson
Special Programs Examiner
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Computer Architecture, Software, and Information Security
571-272-3595